

Section 6.1: Civil Rights Compliance

Child Nutrition Sponsoring Agencies shall comply with the requirements of Title VI of the Civil Rights Act of 1964; American with Disabilities Act (ADA); Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; and the Age Discrimination Act of 1975.

In the operation of the Child Nutrition Programs, no individual in the United States shall solely by reason of his or her race, color, national origin, sex, age, or disability, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 6.2: Non-Discrimination Statement

All USDA Food and Nutrition Programs must use the Office of Civil Rights non-discrimination statement on any materials that are posted for public view (brochures, websites, advertisements, menus, etc). The Office of Civil Rights has issued two statements, a long and short non-discrimination policy:

The longer statement is preferred on posters, pamphlets, application, rights and responsibility material, websites, and any other area where there is sufficient space. It should appear in a prominent place in the text same size as the rest of the document and should be available in other languages. The longer statement reads as follows:

"In Accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. Persons with disabilities who require alternate means for communication of program information (Braille, large print, audiotape, ect.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint on discrimination, write to USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C., 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

The shorter statement may be used if the material is too small to include the long statement. However, the print size should be no smaller than the text of the document. Examples include: letters, memos, notices, menus, internet, public service announcements, television spots, or advertisements, recruitment and outreach correspondence. The shorter statement reads as follows:

"This institution is an equal opportunity provider."

Section 6.3: Data Collection

Sponsors are required to obtain an annual statistical racial/ethnic breakdown of the area being served and maintain it on file with CACFP records. This is done by utilizing the following website at:

<http://www.azcommerce.com/econinfo/demographics/Service%20Area%20Statistics>

Sponsors must use the information obtained above and complete the “Civil Rights Compliance Data Collection” form and the “Civil Rights Pre-Award Compliance Review” form. Both forms are included in new Sponsor application packets and in renewal application packets. Both forms will be updated annually and should be maintained on file.

Section 6.4: Complaint Procedure

The Procedures for Complaints of Discrimination is available on the CACFP website. These procedures must be maintained on file and be made available to any person who wishes to make a complaint to the USDA.

Filing a Complaint

Any person alleging discrimination has a right to file a complaint within 180 days of the alleged discriminatory action. To file a complaint of discrimination, write to the USDA, Director; Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

Section 6.5: Civil Rights Training

Civil Rights Training is required so individuals involved in all levels of administration of programs that receive Federal financial assistance understand civil rights related laws, regulations, procedures, and directives.

Sponsors are responsible for training their program staff. Program staff that interacts with program applicants or participants and those persons who supervise program staff must be provided with Civil Rights Training on an annual basis. Subject matter must include but is not limited to:

- Collection and use of data
- Effective public notification systems
- Complaint procedures
- Compliance review techniques
- Resolution of noncompliance
- Requirements for reasonable accommodation of persons with disabilities
- Requirements for language assistance
- Conflict resolution

Sponsors are required to show documentation that verifies Civil Rights Training was provided to Program staff. Required documentation includes, but is not limited to, agendas, sign in records, and a copy of materials/handouts used. ADE has posted some civil rights activities that may be useful for your staff trainings. To obtain these activities, go to:

<http://www.ade.az.gov/health-safety/cnp/CivilRights/Default.asp>.

Section 6.6: Other Civil Rights Requirements

In addition to the information previously outlined, Sponsors must also have the following materials:

- **“...*And Justice For All*” Poster** – must be displayed in a public area of the facility that is visible to program recipients, their families, personnel, visitors and others. Each site that participates in the CACFP must have its own poster. Sponsors with multiple sites may request for additional copies by contacting the ADE/CNP Office. Suitable substitutes for outdoor use may be made if necessary.
- **CACFP Information/Materials** – must include the non-discrimination statement in languages appropriate to the local population. The non-discrimination statement must be printed using the same font and size as the text. Other CACFP materials in alternative means (such as, but not limited to, large print) of communication must be available. For more information on the non-discrimination statement, please refer to Section 6.2.
- **Prayer** – may not be done over a CACFP meal due to the meal is paid for by Federal Funds.

For additional Civil Rights Information go to:

<http://www.ade.az.gov/health-safety/cnp/civilrights/default.asp>.

Or

Contact the ADE's Civil Rights Liaison at 602-542-6208.